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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 WILLIAMS, SCOTT & ASSOCIATES,  
7 JOHN T. WILLIAMS,

Case No. 3:20-cv-00058-MMD-WGC

8 Plaintiffs,

ORDER

9 v.

10 UNITED STATES OF AMERICA,

11 Defendant.

12 Plaintiffs Williams, Scott & Associates and John T. Williams purportedly brings this  
13 action under the Federal Torts Claims Act ("FTCA") (ECF No. 1-1). Before the Court is the  
14 Report and Recommendation ("R&R") of Magistrate Judge William G. Cobb, concerning  
15 the application to proceed *in forma pauperis* ("IFP Application") (ECF No. 1), *pro se*  
16 complaint ("Complaint") (ECF No. 1-1), and motion to appoint counsel (ECF No. 3). (ECF  
17 No. 4.) Any objection to the R&R was due by April 7, 2020, but none has been filed. The  
18 Court will accept the R&R in full.

19 This Court "may accept, reject, or modify, in whole or in part, the findings or  
20 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party  
21 fails to object to a magistrate's recommendation, the Court is not required to conduct "any  
22 review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474  
23 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir.  
24 2003) ("De novo review of the magistrate judges' findings and recommendations is  
25 required if, but *only* if, one or both parties file objections to the findings and  
26 recommendations.") (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes  
27 (1983) (providing that the court "need only satisfy itself that there is no clear error on the  
28 face of the record in order to accept the recommendation").

1 The Court finds it unnecessary to engage in de novo review to determine whether  
2 to adopt Judge Cobb's R&R and is satisfied that there is no clear error. Here, Judge Cobb  
3 recommends dismissing Plaintiffs' Complaint for: (1) lack of personal jurisdiction over  
4 Defendants—revealed in the body of the Complaint as more than the captioned Defendant  
5 United States of America (ECF No. 1-1 at 19–24); (2) improper venue; and (3) failure to  
6 state a claim under the FTCA. (ECF No. 4 at 2–3.) Judge Cobb further recommends  
7 dismissing the case without prejudice and denying the IFP Application and other pending  
8 motion as moot. (*Id.* at 3–4.) Having reviewed the Complaint, the Court agrees with Judge  
9 Cobb's recommendations and will therefore adopt the R&R in full.

10 It is therefore ordered, adjudged and decreed that the Report and Recommendation  
11 of Magistrate Judge William G. Cobb (ECF No. 4) is accepted and adopted in its entirety.

12 It is further ordered that the Complaint is dismissed without prejudice.

13 It is further ordered that the IFP Application (ECF No. 1) and pending motion to  
14 appoint counsel (ECF No. 3) are denied as moot.

15 It is further ordered that the Clerk enter judgment accordingly and close this case.

16 DATED THIS 9<sup>th</sup> day of April 2020.

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19 MIRANDA M. DU  
20 CHIEF UNITED STATES DISTRICT JUDGE  
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